

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

**EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,**

Plaintiff,

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LA WEIGHT LOSS CENTERS, INC.

Defendant.

Case No. WDO-02-CV-648

JOINT MOTION TO EXTEND PRETRIAL CONFERENCE
FOR PURPOSES OF CONTINUED SETTLEMENT NEGOTIATIONS

Plaintiff Equal Employment Opportunity Commission (“EEOC”) and Defendant LA Weight Loss Centers, Inc. (“LAWL”), by their undersigned counsel, respectfully jointly request that the Court extend the pretrial conference currently scheduled for December 5, 2007 (a date extended by the Court from October 5, 2007) by an additional five (5) weeks in order to permit the parties to continue settlement negotiations. In support of the Motion, undersigned counsel state as follows:

1. On September 19, 2007, Bruce Harrison, counsel for LAWL, and Marjorie Gordon, General Counsel of LAWL met with EEOC counsel Ronald Phillips and Tracy Hudson Spicer to discuss settlement. At that time, LAWL presented EEOC with the Company's proposed Consent Decree to resolve the case. The EEOC estimated it could provide its response to the proposed Consent Decree within two weeks. However, given the complexities of fashioning proposed relief in a case of this nature, the schedules of EEOC counsel and professional obligations, and the need for internal review of the proposal, EEOC was unable to provide its Consent Decree proposal within the two-week projected time frame.

2. The EEOC anticipates that it will provide a proposed Consent Decree to LAWL on October 31, 2007.
3. The parties are continuing to make earnest and serious efforts to settle the case, but given the complexities of the case, negotiations will doubtless continue well into November.
4. Preparing the parties' Joint Pretrial Statement will be a substantial and expensive undertaking in light the extensive scope of the action, the numerous issues to be identified and described in the pretrial order, the numerous issues to be expressed in jury instructions, the large number of witnesses, and various evidentiary issues which will likely prompt a number of motions in limine for the Court's consideration.
5. The parties appreciate that the Court has extended the Pretrial deadline once, but respectfully submit that a last extension of five (5) weeks to permit the parties to resolve the case may avoid a waste of party and judicial resources that may otherwise be expended unnecessarily.

Accordingly, the EEOC and LAWL respectfully request that the date for the pretrial conference be reset for a date that is on or after January 9, 2008.

Dated : October 29, 2007

Respectfully submitted,

/s/

/s/

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